

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES DALE RAMEY #205080,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:08-cv-00513

WILLIE SMITH, et al.,

Defendants.

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**REPORT AND RECOMMENDATION**

This matter is before the Court on Plaintiff's Motion for Dismissal of Case (Dkt. 23). Upon review of the motion, the undersigned recommends that the motion to dismiss be **granted**, and that the case be dismissed with prejudice.

Respectfully submitted,

Date: June 9, 2009

/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).